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Remarks

In response to the Non-Final Rejection mailed May 19,2006, Applicants have amended the claims as suggested by the Examiner, and enclosed a terminal disclaimer.

Claims 16-27 are pending. Claims 20-27 are withdrawn as being drawn to nonelected inventions. Applicants acknowledge that upon allowance of the linking claim 16, the restriction requirement among inventions I-IV will be withdrawn.

Claims 16-20 (presumably 16-19) were objected to as being broader than the elected invention of a plant cell. These claims have been amended to include this limitation. Accordingly, Applicants respectfully request that the objection be withdrawn.

Claims 16-20 (presumably 16-19) were rejected for nonstatutory obviousness-type double patenting over claims 1-14 of U.S. Patent No. 6,656,726. A terminal disclaimer has been appended to overcome this rejection. Hence this rejection should be withdrawn.

Applicants acknowledge that the Examiner finds the claims free of the prior art.

In view of the foregoing amendments and remarks, the Applicants believe the application is in condition for allowance. Early notification of allowance is earnestly solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned.

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If necessary, applicants petition for an extension of time sufficient for consideration of this response. The commissioner hereby is authorized to charge payment of any fees under 37 CFR § 1.17, which may become due in connection with the instant application, including the fee for the terminal disclaimer, or credit any overpayment to Deposit Account No.500933.

Respectfully submitted,



Wayne P. Fitzmaurice
Reg. No. 58,274

Date: August 21, 2006

Enclosures: Terminal Disclaimer
Statement under 37 C.F.R. 3.73(b)

Wayne P. Fitzmaurice
Senior Director
Large Scale Biology Corporation
3333 Vaca Valley Parkway, Suite 1000
Vacaville, CA 95688
707-469-2395 tel.
707-446-3917 Fax
E-MAIL wayne.fitzmaurice@lsbc.com